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TAGS: ID KTFN EFIN PTER PREL ETTC CA

SUBJECT: TERRORISM FINANCE: OTTAWA RESPONSE ON JI-4 UN
REQUEST

REF: A. SECSTATE 56281

1B. OTTAWA 907

1C. MADER-LAMBERT EMAIL 3/31/06

Classified By: Econ Minister Counselor Brian Mohler, reasons 1.4b,d

11. (S) Despite high-level approaches, the Government of Canada still will not co-sponsor the four JI individuals. As requested by email and in reftel A, Embassy Ottawa raised the profile of the JI-4 cosponsorship request, with Deputy Chief of Mission John Dickson making the request to Department of Foreign Affairs and International Trade's (DFAIT's) Assistant Deputy Minister for International Security Jim Wright. Previous attempts included an appeal from Economic Minister Counselor (and TFCO) Brian Mohler to Evelyn Puxley, Director of DFAIT's International Crime and Terrorism Division and a number of meetings between Embassy Econ staff and working-level staff at DFAIT.

12. (S) ADM Wright confirmed to DCM Dickson April 10 that timing remains the primary barrier to Canadian cosponsorship. ADM Wright described the Canadian domestic designation process as "fairly arduous" and explained that, despite USG extensions on the proposed timing of the designation, the GOC cannot move as quickly as would be needed to cosponsor. As explained in reftel B, currently the government of Canada is only willing to sponsor an individual or entity at the UN if the entity is already domestically designated under Canada's Criminal Code (whose listing is considered by Canadian courts as *prima facie* evidence of being a terrorist). Despite this procedural obstacle to co-sponsoring, DFAIT agrees with the JI listing in principle.

13. (S) As we communicated via email (ref C), DFAIT has been working for months on another high-profile terrorism issue. This work culminated Saturday in the disclosure by the National Post that Canada is domestically designating the LTTE (Tamil Tigers) under Canada's Criminal Code (reported septel). Comment: DFAIT staff told us privately that the domestic designation of LTTE has been in the works since last fall, before the election of the current Conservative minority government. While in opposition, the Conservatives criticized the former Liberal government for not listing the LTTE because the Liberals depended on Tamil communities for financial and political support. If, in fact, DFAIT has been working on LTTE designation even before the Conservatives' formation of government, the Conservatives are thus far not sharing the credit. End Comment.

14. (S) Although the LTTE designation doubtless kept DFAIT staff busy recently, we believe that Canada's decision not to cosponsor the JI-4 would have been the same even if they had not been distracted by LTTE designation. As long as the GOC insists on domestic designation under the criminal code as a prerequisite to cosponsorship at the UN, the GOC will need months of preparation time in order to cosponsor. The Canadian cosponsorship of LET in April 2005 was only possible

because Canada had already domestically designated LET.

¶ 15. (S) If Canadian cosponsorship is critical for future designations, Post suggests finding groups that Canada is ready to domestically designate under their Criminal Code or, failing that, giving the Government of Canada several months of lead-time. ADM Wright told DCM Dickson that "There is a debate on what we will do next (after designating the LTTE)", which suggests that there could be an opportunity to work with the GOC, provided the USG can allow sufficient time for Canada's domestic designation procedures.

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